

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

CLARENCE BUCHANNON, #123891,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 3:06cv117-MHT
)	(WO)
STATE OF ALABAMA,)	
)	
Respondent.)	

ORDER

There being no objections filed to the Recommendation of the Magistrate Judge filed herein on April 10, 2006, said Recommendation is hereby adopted, and it is the

ORDER, JUDGMENT and DECREE of the court that:

1. The present 28 U.S.C. § 2241 petition for habeas corpus relief filed by Clarence Buchannon is DENIED.
2. This habeas corpus application, insofar as it seeks to challenge Buchannon's 1987 conviction for second degree theft of property and his 1990 conviction for second degree theft of property is DISMISSED as this court is without jurisdiction to review the petition under the provisions of 28 U.S.C. § 2244(b)(3)(A) as Buchannon has failed to obtain the requisite order from the Eleventh Circuit Court of Appeals authorizing this court to consider a successive habeas application for either of these convictions;
3. This 28 U.S.C. § 2241 petition, insofar as it seeks to challenge Buchannon's 1979 conviction for second degree burglary is DENIED and DISMISSED with

prejudice as this court lacks jurisdiction to consider Buchannon's claims for relief with respect to this conviction.

Done this the 28th day of April, 2006.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE